

**Baker & Hostetler LLP**

45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and Bernard L.  
Madoff,

Plaintiff,

v.

BAM L.P., Michael Mann, and Meryl Mann,

Defendants.

Adv. Pro. No. 10-04390 (SMB)

**NOTICE OF MOTION FOR SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, the Statement of Material Facts in Support of Trustee's Motion for Summary Judgment, the Declaration of David J. Sheehan in Support of Trustee's Motion for Summary Judgment, with all exhibits annexed thereto, and upon all the prior pleadings and proceedings herein, Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (the "Trustee"), by and through his counsel, moves this Court, before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge for the Southern District of New York, at the United States Bankruptcy Courthouse, One Bowling Green, New York, New York 10004, for an order granting the Trustee's motion for summary judgment on Count One of the Trustee's Amended Complaint (ECF No. 9) pursuant to Rule 56 of the Federal Rules of Civil Procedure (made applicable by Rule 7056 of the Federal Rules of Bankruptcy Procedure and Southern District of New York Local Bankruptcy Rule 7056-1), together with such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that Defendants' answering papers to the Motion shall be served and filed on or before **February 8, 2019** and the Trustee's reply papers shall be served and filed on or before **March 13, 2019**. Oral argument on this motion is currently scheduled for **March 27, 2019** at 10:00 a.m.

Dated: New York, New York  
December 21, 2018

*/s/ David J. Sheehan*

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Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Dean D. Hunt  
Email: dhunt@bakerlaw.com  
Lan Hoang  
Email: lhoang@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com  
Seanna R. Brown  
Email: sbrown@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the  
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